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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 MARGARITO T. LOPEZ, *et al.*,
12 Plaintiffs,

13 v.

14 CITY OF LOS ANGELES, *et al.*,
15 Defendants.
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Case No. 2:22-cv-07534-FLA (MAAx)

**ORDER DISMISSING ACTION
[DKT. 121]**


1 On April 23, 2025, Defendant City of Los Angeles (“Moving Defendant”) filed
2 a Stipulation of Dismissal of Entire Action with Prejudice Against All Defendants
3 (Dkt. 121), requesting the court dismiss the action with prejudice pursuant to Fed. R.
4 Civ. P. 41(a)(1) (“Rule 41(a)(1)”), which allows a plaintiff to dismiss an action
5 voluntarily without a court order by filing: “(i) a notice of dismissal before the
6 opposing party serves either an answer or a motion for summary judgment; or (ii) a
7 stipulation of dismissal signed by all parties who have appeared.”

8 Plaintiffs Margarito T. Lopez, Sonia Torres, Keni Lopez, and Rosy Lopez
9 (“Plaintiffs”) are not entitled to dismissal under Rule 41(a)(1)(A)(i) because
10 Defendants City of Los Angeles, Jose Zavala, and Julio Quintanilla (collectively,
11 “Defendants”) filed their Answers on December 5 and 15, 2022. *See* Dkts. 16, 19.
12 Further, as Moving Defendant did not submit a stipulation of dismissal signed by all
13 parties who appeared, Plaintiffs are not entitled to dismissal under Rule
14 41(a)(1)(A)(ii). The court, therefore, DENIES Plaintiffs’ request for dismissal.

15 Nevertheless, as Defendants have not filed an opposition to the Notice of
16 Voluntary Dismissal, the court, on its own motion, hereby VACATES all pending
17 dates and deadlines and DISMISSES the action with prejudice. *See* Fed. R. Civ. P.
18 41(a)(2). The court retains jurisdiction to vacate this Order and to reopen the action
19 within thirty (30) days from the date of this Order, should Defendants file timely an
20 objection to the dismissal.

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22 IT IS SO ORDERED.

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24 Dated: April 24, 2025

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27 FERNANDO L. AENLLE-ROCHA
28 United States District Judge